UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/147
12 February 1999

ORIGINAL: ENGLISH

LETTER DATED 12 FEBRUARY 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, as requested by the Security Council in paragraph 8 of its resolution 1221 (1999) of 12 January 1999. The report was adopted by the Committee, under the no-objection procedure, on 12 February 1999.

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola

99-03807 (E) 120299

/...

Annex

Report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 8 of Security Council resolution 1221 (1999), adopted on 12 January 1999. Paragraph 8 of the resolution reads as follows:

> "The Security Council,
>
> "...
>
> "8. Expresses its readiness to pursue reports of violations of the measures referred to in paragraph 7 above, to take steps to reinforce the implementation of these measures and to consider the imposition of additional measures, including in the area of telecommunications, on the basis of a report to be prepared by the Committee established pursuant to resolution 864 (1993) by 15 February 1999 drawing on the expertise of relevant bodies and organizations, including the International Telecommunication Union."

II. BACKGROUND

2. Pursuant to the adoption of Security Council resolutions 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, imposing additional measures against the União Nacional para a Independência Total de Angola (UNITA), all States were requested to provide the Committee with information on the action taken by them to implement these measures. To date, replies have been received from 57 States in regard to the implementation of resolution 1127 (1997) and 33 States on the implementation of resolution 1173 (1998).

3. In accordance with a decision taken at the Committee's 15th meeting, a reminder was sent to all States on 27 January 1999, stressing the importance for Member States, in particular States neighbouring Angola, to take the necessary legislative action to implement the measures imposed on UNITA and requesting those States that had not yet replied to do so as soon as possible.

4. The Chairman was authorized to contact the Permanent Representatives of neighbouring States to discuss with them possible ways to enhance the implementation of the mandatory measures imposed on UNITA. The Committee endorsed the proposal by the Chairman to undertake, along with the Vice-Chairmen, missions to Europe and Africa to assess the implementation of these measures.

III. RECOMMENDATIONS CONTAINED IN THE REPORT OF THE SECRETARY-GENERAL ON ANGOLA

5. In accordance with Security Council resolutions 1202 (1998) of 15 October 1998 and 1213 (1998) of 3 December 1998, the Secretary-General submitted his report to the Council on Angola (S/1999/49) containing, inter alia, recommendations on improving the implementation of the measures imposed on UNITA contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998).

6. At its 15th meeting, held on 20 January 1999, the Committee considered the report and supported the recommendations made by the Secretary-General as follows:

(a) Member States, in particular States neighbouring Angola, could provide, on a regular basis, information on the implementation of the measures adopted by the Security Council. The Council could also invite their views on possible ways to strengthen the effectiveness of those measures;

(b) While the responsibility for the implementation of these measures rests with Member States, the Security Council and the Committee established pursuant to resolution 864 (1993) could review the implementation process periodically with a view to identifying and possibly eliminating gaps and monitoring the effectiveness of the adopted measures; such a review may be initiated on the basis of a report by the Chairman of the Committee following a mission that he may wish to undertake to Angola and the countries of the region;

(c) It would be essential that the Committee be provided by Member States, on a regular basis, with the information necessary to enable it to consider and investigate possible violations of the mandatory measures. Cases of confirmed violations could be made public by the Committee or reported to the Security Council;

(d) The Government of Angola and neighbouring States could monitor at least all major border crossings and airports in order to prevent illegal movement across the border. It is noted, however, that it may be extremely difficult to monitor effectively the land borders of Angola, given their length, the difficult terrain and the lack of the necessary infrastructure. In addition, the Government of Angola and the States of the region could consider additional steps to monitor the ports and airstrips in their territories in order to prevent ships and aircraft engaged in violations of the measures from using them;

(e) In cases where public announcements are made that confirm material support for UNITA, the Committee could authorize its Chairman to address letters to the Member States concerned. Similarly, in the event of confirmed violations of the travel ban, the Member States involved could be reminded of their obligations under the relevant Security Council resolutions;

(f) The Security Council could authorize the Secretariat to commission an expert study focusing on possible ways of tracing violations of the measures

regarding arms trafficking, oil supply and the diamond trade, as well as the movement of UNITA funds.

IV. PROPOSALS BY THE COMMITTEE FOR IMPROVING IMPLEMENTATION OF MEASURES IMPOSED ON UNITA

7. In addition to the recommendations made by the Secretary-General, and having examined again the measures imposed against UNITA in resolutions 864 (1993), 1127 (1997) and 1173 (1998), the Committee proposes the following:

(a) To urge all States to take additional measures to:

(i) Consider enacting appropriate legislation or other legal measures making violations of the sanctions a criminal offence;

(ii) Prohibit all logistical assistance consistent with the provisions of Security Council resolution 864 (1993) and military services to UNITA;

(iii) Obtain, from private companies and individuals, information on transfer of military equipment to UNITA as well as activities involving illicit diamond trade with UNITA;

(iv) Enlist the assistance of banks and sources of financial information and expertise to identify and track the financial flows of UNITA and those of its senior officials and adult members of their immediate families;

(b) To remind Member States that they are requested to provide information on steps they have taken to implement the measures contained in Security Council resolutions 864 (1993), 1127 (1997) and 1173 (1998), and request Member States to provide specific details in that regard and to continue to update that information;

(c) To request Member States, particularly those in Africa and those neighbouring Angola, to provide information on illegal arms flows to Angola, the illicit trade in diamonds, the supply of petrol and petroleum products to UNITA and their capacity for monitoring and interdicting such flows, as well as their views as to how the embargo could be tightened. The Committee could, as appropriate, urge potential donors to consider assisting States, in particular those neighbouring Angola, in their efforts to effectively improve their implementation of sanctions against UNITA;

(d) To renew its request to the Government of Angola to provide additional information on senior officials of UNITA, including UNITA representatives abroad, and adult members of their immediate families designated by the Committee under paragraph 11 (a) of Security Council resolution 1127 (1997) and other known senior officials of UNITA, including UNITA representatives abroad, and adult members of their immediate families, namely, full names, dates of birth, passport numbers, all known addresses and any known aliases;

(e) To renew its request to the Government of Angola to provide the Committee with a list of all aircraft registered in Angola, in accordance with paragraph 4 (d) (iii) of Security Council resolution 1127 (1997), to which prohibitions do not apply;

(f) To discuss, in consultation with the Government of Angola and other interested parties in the diamond industry, ways to improve the enforcement of sanctions against the diamond trade with UNITA. In this connection, the Government of Angola should be requested to provide samples of all stamps and signatures that can appear on a certificate of origin and a definitive list of names of those authorized to sign;

(g) To request Governments of States with companies that are major traders in the diamond industry and have expert monitoring facilities to notify the Committee and relevant enforcement agencies of any trader or company that offers them illegal Angolan diamonds, as well as diamonds originating from States neighbouring Angola, to ensure that all documentation is subject to official scrutiny;

(h) To commission expert studies pursuant to the Secretary-General's recommendation, to trace violations in arms trafficking, oil supplies and the diamond trade, as well as the movement of UNITA funds.

8. In regard to the possible imposition of measures in the area of telecommunications, as referred to in paragraph 8 of Security Council resolution 1221 (1999), the Committee will report to the Council as soon as it has the opportunity to consider responses to the Committee Chairman's letters of 26 January 1999 to the International Telecommunication Union and the International Telecommunications Satellite Organization. The Committee has already received information from some Member States and anticipates additional responses from other Member States and expert sources.